

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

ITW

In re Patent Application of

KRESSE ET AL.

Serial No. 10/583,118

Filed: June 16, 2006

Title: OPTICAL DATA STORE WITH SEVERAL STORAGE LAYERS



Atty MJS-35-302

Dkt. #

C# M#

TC/A.U. 1794

Examiner: HIGGINS, Gerard T.

Date: May 7, 2008

Commissioner for Patents

P.O. Box 1450

Alexandria, VA 22313-1450

Sir:

RESPONSE/AMENDMENT/LETTER

This is a response/amendment/letter in the above-identified application and includes an attachment which is hereby incorporated by reference and the signature below serves as the signature to the attachment in the absence of any other signature thereon.

 Correspondence Address Indication Form Attached.**Fees are attached as calculated below:**

Total effective claims after amendment	17	minus highest number	
previously paid for	20	(at least 20) =	0 x \$50.00
			\$0.00 (1202)/\$0.00 (2202) \$

Independent claims after amendment	1	minus highest number	
previously paid for	3	(at least 3) =	0 x \$210.00
			\$0.00 (1201)/\$0.00 (2201) \$

If proper multiple dependent claims now added for first time, (ignore improper); add
\$370.00 (1203)/\$185.00 (2203) \$

Petition is hereby made to extend the current due date so as to cover the filing date of this
paper and attachment(s)

One Month Extension	\$120.00 (1251)/\$60.00 (2251)
Two Month Extensions	\$460.00 (1252)/\$230.00 (2252)
Three Month Extensions	\$1050.00 (1253)/\$525.00 (2253)
Four Month Extensions	\$1640.00 (1254)/\$820.00 (2254)
Five Month Extensions	\$2,230.00 (1255)/\$1115.00 (2255) \$

Terminal disclaimer enclosed, add
\$130.00 (1814) / \$65.00 (2814) \$

Applicant claims "small entity" status. Statement filed herewith

Rule 56 Information Disclosure Statement Filing Fee	\$180.00 (1806)	\$	0.00
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Assignment Recording Fee	\$40.00 (8021)	\$	0.00
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Other:		\$	0.00
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TOTAL FEE	\$	0.00
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 CREDIT CARD PAYMENT FORM ATTACHED.

The Commissioner is hereby authorized to charge any deficiency, or credit any overpayment, in the fee(s) filed, or asserted to be filed, or which should have been filed herewith (or with any paper hereafter filed in this application by this firm) to our Account No. 14-1140. A duplicate copy of this sheet is attached.

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NIXON & VANDERHYE P.C.
By Atty: Michael J. Shea, Reg. No. 34,725

Signature: 



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* * * * *

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Sir:

RESPONSE TO RESTRICTION REQUIREMENT

In response to restriction requirement dated April 8, 2008, Applicant elects the claims of Group I (i.e., claims 1-8). Because a restriction requirement is never proper unless the restricted group(s) of claims is patentably distinct (i.e., *inter alia*, non-obvious under USC Section 103) from the elected group of claims, the Examiner is requested to ensure that such patentable distinctness is present before proceeding to make the requirement final.

Applicants reserve the right to file divisional application(s) directed to the subject matter of the non-elected claims.

Nothing herein constitutes, or should be construed as constituting, a statement or admission regarding the patentability of the claims of any group vis a vis the claims of any other group.

Respectfully submitted,
NIXON & VANDERHYE P.C.

By:


Michael J. Shea
Reg. No. 34,725

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